

### REMARKS

Claims 1-21 are pending in this application. Claim 12 has been amended to restructure and clarify the content of this dependent claim by reciting that "a haze of the photosensitive resin composition is 0% or more and 70% or less when it is in a form of a layer having a thickness of 1 mm." Accordingly, no new matter has been introduced by this proposed amendment.

#### Rejection: § 102(b)/103(a) - Ishizuka et al.

Claims 1-20 have been rejected under 35 U.S.C. § 102(b) as anticipated by or, the alternative, under 35 U.S.C. § 103(a) as obvious over Ishizuka et al. (U.S. 2003/0224281). Although the statement of this rejection did not include claim 21, we recognize that claim 21 was addressed in paragraph g on page 5 of the Office action, so we assume that the Office intended to include claim 21 in the statement of this rejection.

Applicants described the differences between the teachings of Ishizuka et al. and the presently claimed invention in the response to the previous Office action. Although both processes use a layer of photosensitive composition, Ishizuka et al. always exposes that layer to a light image to selectively photocure the composition in the exposed areas. In contrast, the claimed layer of photosensitive composition is subjected to an overall photocuring that is free from any light image or pattern. In paragraph 11 on page 7 of the Office action, we agree that Ishizuka et al. does teach that an image can be formed on the substrate by a laser, or it can be exposed to a light image by other sources of light. However, the Office then states that "no pattern is formed on the photosensitive layer." This is not accurate. Ishizuka et al. always

exposes the photosensitive layer to some type of light image or pattern, selectively subjecting the photosensitive layer to a photocure.

To further demonstrate the differences between the claimed invention and the teachings of Ishizuka et al., applicants have provided the attached diagram to demonstrate the differences in the processing of the photosensitive layer in each process. The laser engravable printing substrate of this invention is a "pattern-free" photo-cured substrate, which has been photo-cured over the entire surface of the substrate prior to engraving by irradiation with a laser. After photocuring of the substrate overall, the substrate is then processed into a printing plate having an imaged pattern by laser engraving, in which the area irradiated with the laser is engraved.

On the other hand, the planographic printing plate precursor disclosed by Ishizuka et al. is an uncured substrate. The printing substrate is processed into a printing plate by having the photosensitive composition partially and selectively photo-cured with a laser or other light image (i.e., the photocuring process and patterning formation take place simultaneously), and then removing the uncured area by a development treatment (see paragraph 0160 of Ishizuka et al.).

The process described in paragraph 0158 of Ishizuka et al. which the Examiner referred to in the Office action, relates to a printing plate produced by a partial photocuring with a silver salt mask film (this is how the light image or pattern of photocured composition is created), which is clearly different from the printing substrate of the present invention which is photocured over the entire surface and then imaged by laser engraving. On this basis alone, the claimed invention is not only different, but

patentably distinct from the teachings of Ishizuka et al. Accordingly, this rejection should be withdrawn.

Rejection: § 103(a) - Ishizuka et al.

Claims 12 and 14-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizuka et al. for substantially the same reasons that were relied upon in the previous Office action. The Examiner discusses the thickness of a photosensitive resin composition based on the description of paragraph 0154 of Ishizuka et al., and urges that any range of the coating layer thickness would be an optimization of the coating solution applied in amounts of 10 to 100 mL/m<sup>2</sup>. Applicants respectfully disagree.

The Examiner only discusses an amount of coating solution in which the photosensitive resin composition is dissolved in an organic solvent based on the description in paragraphs 0149-0143 of Ishizuka et al. However, the thickness of the photosensitive resin composition should be considered to be in a dry state after the solvent is evaporated. The dry state of the composition is described in paragraphs 0155-0157 of Ishizuka et al. Thus, in paragraph 0157, the coating weight of the photosensitive composition is described as usually about 0.5 to about 5 g/cm<sup>2</sup> on a dry weight basis. Based on this disclosure and the estimated value of the density (1 g/cm<sup>3</sup>), the thickness of the photosensitive resin composition would then be calculated to be about 0.5 microns to 5 microns in the disclosure of Ishizuka et al.

The Examiner's observations in paragraph 7(c) on page 6 of the Office action that the substrate of Ishikuza et al. meets the limitations of the substrate of claims 15-18 is clearly not accurate. The printing substrate of Ishikuza et al. is not photocured overall. Ishikuza et al. creates a pattern by exposure to a light image created by a mask

or laser. The use of a laser in Ishikuza et al. is not laser engraving, but simply a different way to form a light image that selectively photo-cures the photosensitive composition. Accordingly, this rejection should be withdrawn.

Prompt and favorable reconsideration of this application is requested, and the mailing of a timely Notice of Allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 5, 2009

By: Charles E. Van Horn  
Charles E. Van Horn  
Reg. No. 40,266  
(202) 408-4000

Attachment: Comparison Diagram